

**REMARKS**

Claims 1-5 remain in the application for consideration of the Examiner.

Reconsideration and withdrawal of the outstanding rejections are respectfully requested in light of the following remarks.

In response to the reopening of prosecution and the new grounds of rejection Applicants respectfully file this reply under 37 CFR 1.111.

Claims 1-5 were rejected under 35 U.S.C. § 102(b) as being anticipated by Menegoli.

These rejections are respectfully traversed.

It is respectfully submitted that Menegoli does not disclose or suggest the presently claimed invention including the control circuit receiving a flyback voltage from the motor during the pulse voltage state and the control circuit receiving a reduced flyback voltage being reduced from the flyback voltage from the motor during the high voltage state.

The Examiner alleges that Menegoli teaches that when switching is turned on the BEMF voltage from the motor is increased in a pulse state/high state.

Notwithstanding the allegations of the Examiner, Menegoli referring to column 4, lines 4 and 5 that the upper switches 102, 104, and 106 connect the corresponding stator coil 12, 14, and 16 to power.

Additionally, at column 4, lines 10-15 when switch 108 is closed, stator coil 12 is connected to ground, and in the same manner, switch 112 connects the stator coil 14 to ground and switch 112 connects coil 16 to ground.

Thus, Menegoli discloses a two-state device represented by power and ground.

Menegoli does not disclose a pulse state.

Consequently, Menegoli could not disclose or suggest the control circuit receiving a flyback voltage from the motor during the pulse voltage state.

The Examiner's attention is directed to column 5, lines 35-40 where Menegoli discloses that the BEMF current increases the potential across the capacitor 126 and essentially the voltage of the capacitor is "kicked up" by the inductance of the stator coil and by the BEMF.

Consequently the BEMF voltage is high during the high voltage state.

Consequently, Menegoli does not disclose that the control circuit receiving a reduced flyback voltage being reduced by the flyback voltage from the motor during the high voltage state.

Claims 1-5 patentably define over the applied art.

In light of the above, it is respectfully submitted that the present application is in condition for allowance, and notice to that effect is respectfully requested.

While it is believed that the instant response places the application in condition for allowance, should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner contact the undersigned in order to expeditiously resolve any outstanding issues.

To the extent necessary, Applicant petitions for an Extension of Time under 37 CFR 1.136. Please charge any fees in connection with the filing of this paper, including extension of time fees, to the deposit account of Texas Instruments Incorporated, Account No. 20-0668.

Respectfully submitted,



W. Daniel Swayze, Jr.  
Attorney for Applicant  
Reg. No. 34,478

Texas Instruments Incorporated  
P.O. Box 655474, MS 3999  
Dallas, TX 75265  
(972) 917-5633